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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

RPS9-2003-0095

Total Pages

33

First Named Inventor or Application Identifier

William W. Buchanan Jr.

Express Mail Label No.

ER211528536

17302 U.S.  
10/600026

06/26/03

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification (Total Pages) 26  
(Preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross References to Related Application
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) (Total Pages) 7
4. Oath or Declaration (Total Pages)
- a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation /divisional with Box 17 completed)  
[Note Box 5 below]
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named  
in prior application, see 37 CFR 1.63(d)(2) and  
1.33(b).
5. ☐ Incorporation by Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy  
of the oath or declaration is supplied under Box 4b is considered  
as being part of the disclosure of the accompanying application  
and is hereby incorporated by reference therein.

**Assistant Commissioner for Patents**ADDRESS TO: **Box Patent Application  
Washington, DC 20231**

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission (if applicable,  
all necessary)
- a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure ☒ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14. ☐ Small Entity ☐ Statement filed in prior application,  
Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)  
if foreign priority is claimed)
16. ☒ Other: Express Mail Certificate

**17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**
☐ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP)    of prior application No.:
**18. CORRESPONDENCE ADDRESS**

- ☐ Customer Number or Bar Code Label \_\_\_\_\_
- ☐ Or Correspondence address below

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**Assignee Name:** INTERNATIONAL BUSINESS MACHINES CORPORATION**Assignee Residence:** Armonk, New York

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

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PTO/SB/05 (12/97)  
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# FEE TRANSMITTAL

Note: Effective October 1, 2001.  
 Patent fees are subject to annual revision.

## Complete If Known

Application Number	Not yet assigned
Filing Date	June 26, 2003
First Named Inventor	William W. Buchanan Jr.
Group Art Unit	
Examiner Name	
Attorney Docket Number	RPS9-2003-0095

TOTAL AMOUNT OF PAYMENT \$ 1188

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number: 50-0563
- Deposit Account Name: IBM CORPORATION
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance

2. ☐ Payment Enclosed:
- ☐ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	750
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

### SUBTOTAL (1)

\$ 750

### 2. CLAIMS

		Extra		Fee from below		Fee Paid
Total Claims						
35	-20 =	15	x	18	=	270
Ind. Claims	5 -3 =	2	x	84	=	168
Multiple Dep. Claims		0	x	280	=	0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim	

### SUBTOTAL (2)

\$ 438

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2520	1812	2520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1450	2254	725	Extension for reply within fourth month	
1255	1970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1510	1451	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - intentional	
1453	1300	2453	650	Petition to revive - unintentional	
1501	1300	2501	650	Utility issue fee	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1814	110	2814	55	Statutory disclaimer (37 CFR 1.120(d))	

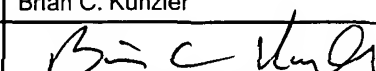
Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee

### SUBTOTAL (3)

\$ 0

## SUBMITTED BY

Typed or Printed Name				Complete (if applicable)	
Brian C. Kunzler				Reg. Number	38,527
Signature		Date		Deposit Account User ID	
		Jun 26, 2003			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

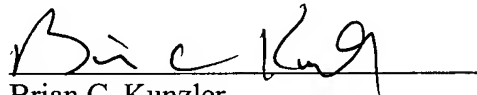
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"Express Mail" Mailing Label No.: ER211528536

Date of Deposit: June 26, 2003

I hereby certify that this patent application in the name of William W. Buchanan Jr., Simon Chu, Linda Ann Riedle, and Paul B. Tippet for APPARATUS METHOD AND SYSTEM FOR ALTERNATE CONTROL OF A RAID ARRAY, together with the drawings, an Information Disclosure Statement, PTO Form 1449, and Copies of Cited References are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,



Brian C. Kunzler  
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Attorney for Applicant

Date: June 26, 2003

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